

REMARKS

Claims 1-18 currently are pending. As indicated above, independent claims 1, 4, 6, 9, and 11 have been amended.

Each of claims 1, 4, 6 and 9 has been amended to recite that the display of the photographing apparatus operates to display a network structure when the photographing apparatus is connected to a processor forming a node on a network, and return to displaying a state in which either a photographed image or a live-view image is displayed when the photographing apparatus is disconnected from the processor. Claim 11 has been amended to recite a display which displays a network structure when the photographing apparatus is connected to the network and returns to a state in which either a photographed image or a live-view image is displayed when the photographing apparatus is disconnected from the network. Support for these amendments is found, for example, starting at line 11 of page 16 of the application and in Figure 6.

In the final Office Action dated April 15, 2004, all pending claims were rejected under 35 U.S.C. §103, on the grounds that they were not considered to be patentable over the Fukumitsu et al. patent (U.S. Patent No. 6,141,052) in view of the Cepulis patent (U.S. Patent No. 6,397,268). In the "Response to Arguments" section of the Advisory Action issued on November 12, 2004, the Examiner states that he did not consider Applicant's arguments set forth in the response of July 13, 2004, convincing. However, the statements in this section of the Advisory Action do not fully address all points raised in Applicant's response.

For instance, the Examiner agreed with Applicant's arguments of March 24, 2004, with respect to why the camera/computer combination of Fukumitsu et al. cannot be considered to be a "peripheral device" within the meaning of this term in the art. In the final Action of April 15, 2004, therefore, the Examiner cited description of a peripheral component interconnect (PCI) bus from the Cepulis patent, with reference to column 1, lines 44-46 and column 8, lines 19-25. The Examiner asserts that the cited parts of Cepulis allegedly teach an advantage of using a PCI network adaptor in a personal computer because it enables computers in a network to communicate using high speed communication standards. However, a PCI bus, such as the local bus described in the Cepulis patent, operates as a *local* high-speed bus of a computer for interconnecting peripheral components to a main bus (e.g., memory or system bus) of the computer. There is simply no mention in Cepulis that of any advantage involving high speed communication *between* computers. Hence, the Examiner statements in this regard are unsubstantiated by any evidence from the cited parts of the Cepulis patent, or any other part of that document.

Moreover, the statements on pages 2-3 of the Advisory do not address how a remote computer on the network could be considered a "peripheral device" within the meaning of that this term has in the art. The Examiner asserts that since Cepulis teaches a network adaptor connected to the computer system through a PCI bus, a computer of Fukumitsu et al. modified to include a PCI bus as taught in Cepulis and connected to a remote computer on a network would be connected as a peripheral device to that remote computer. However, even it one were to consider,

arguendo, that one of ordinary skill in the art would have been led to modify the Fukumitsu et al. computer to include a PCI bus to form a high speed connection between a computer host bus and a network adaptor *within* the computer, which is the type of connection that the relied upon description in Cepulis actually teaches, such hypothetical combination would not have resulted in transforming any remote computer connected to such network adaptor into "peripheral device" within any reasonable interpretation of meaning this term in the field of the invention. For example it would not have taught that the computer of Fukumitsu et al. so modified would be controlled by the remote computer's processor. (See, Microsoft Computer Dictionary, 3rd ed., page 360, provided with July 13, 2004 Second Request for Reconsideration). It is respectfully submitted, therefore, that the Examiner's conclusory statement on page 3, lines 2-3 of the Advisory Action is neither based on any facts from the applied references nor correct.

In pages 3-11 of the Advisory Action, the Examiner repeats the rejection set forth in the final Office Action, and thus maintains his interpretation that the claimed term "photographing apparatus" can broadly encompass a camera connected to a computer as in Fukumitsu et al., that the LCD of the computer is allegedly a display of a photographing apparatus, and that official notice can be taken that it is well known to display a network on a computer. In the context of the present invention, however, the photographing apparatus is not a component of the personal computer or other processing device that forms a node on the network. Rather, the photographing apparatus is a separate structure that is connected to the network node as a *peripheral device*, as explicitly recited in the independent claims. To

clarify this distinction even further, independent claims 1, 4, 6 and 9 have been amended to more explicitly recite that the display of a photographing apparatus displays a network structure when the photographing apparatus is connected to a processor forming a node on the network, and that the display returns to a state in which either a photographed image or a live-view image is displayed when the photographing apparatus is disconnected from the processor. A similar amendment has been made to claim 11 with respect to a connection/disconnection of a photographing apparatus to a network.

It is respectfully submitted that the Fukumitsu patent does not suggest an arrangement of the type recited in the claims. For instance, nowhere does the Fukumitsu et al. patent teach or suggest, among other claimed elements, that the LCD of the computer operates to display a network structure when a photographing apparatus is connected to a network as in claim 11, or to a processor forming a node on a network as recited in claims 1, 4, 6 and 9, and operates to return to a state in which either a photographed image or a live-view image is displayed when the photographing apparatus is disconnected from the processor/network. Hence, the Fukumitsu et al. patent does not teach or suggest a photographing apparatus including a display as recited in each of the independent claims.

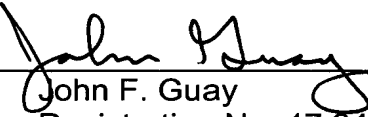
From the foregoing, it is respectfully submitted that all pending claims are patentably distinct from the Fukumitsu et al. and Cepulis patents, whether considering these documents individually or in any combination. Reconsideration and withdrawal of the rejection is therefore respectfully requested.

Respectfully submitted,

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